

KATHYRN N. NESTER, Federal Public Defender (#13967)
KRISTEN R. ANGELOS, Assistant Federal Defender (#8314)
FEDERAL PUBLIC DEFENDER
DISTRICT OF UTAH
Attorneys for Defendant
46 West Broadway, Suite 110
Salt Lake City, Utah 84101

IN THE UNITED STATES DISTRICT COURT,

DISTRICT OF UTAH, NORTHERN DIVISION

UNITED STATES OF AMERICA,	:	SUPPLEMENTAL MOTION TO
	:	SUPPRESS
Plaintiff,	:	
vs.	:	
LEONARD RUSSELL MARION,	:	Case No. 1:15-CR-00033
Defendant.	:	Judge Robert J. Shelby

Defendant, Leonard Russell Marion (“Mr. Marion”), by and through his counsel of record, Kristen R. Angelos, pursuant to DUCrimR12-1(d), submits the following *Supplemental Motion to Suppress* and respectfully requests the suppression of evidence obtained following the illegal arrest of Mr. Marion on November 20, 2016.

More specifically, Mr. Marion supplements his original *Motion to Suppress*, filed on November 18, 2015, which was a request to suppress all evidence obtained following the search of his vehicle on November 17, 2016. Mr. Marion asks the Court to also allow testimony to be taken regarding this additional issue at the evidentiary hearing currently set for July 13, 2016, which involves the original motion to suppress.

A. Defendant's Basis for Standing

Mr. Marion has standing since it was his person that was arrested.

B. Evidence for Which Suppression is Sought

Mr. Marion seeks the suppression of all evidence obtained as a result of his illegal arrest, including, but not limited to, drugs and a firearm found on his person when arrested.

C. Grounds for Motion

Suppression is appropriate because the arrest of Mr. Marion was conducted without probable cause. Thus, the arrest and subsequent search of Mr. Marion violated his rights under the Fourth Amendment.

Accordingly, as requested above, Mr. Marion requests that the Court allow Mr. Marion to take testimony in further support of this supplemental motion. An evidentiary hearing is currently scheduled for July 13, 2016, to take testimony on another suppression issue. Mr. Marion asks this Court to allow Mr. Marion to address this issue and take testimony on this day.

DATED this 7th day of April, 2016.

/s/ Kristen R. Angelos
KRISTEN R. ANGELOS
Assistant Federal Public Defender